

ENTERED

March 23, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

DELVIN ARCHIE,
273223

Petitioner,

VS.

HENRY TROCHESSET, Galveston County
Sheriff,

Respondent.

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CIVIL ACTION NO. 3:17-CV-271

ORDER DISMISSING CASE WITHOUT PREJUDICE

Petitioner Delvin Archie is a pretrial detainee in Galveston County Jail who filed a petition for a writ of habeas corpus challenging the imposition of what he contends is excessive bail. On December 20, 2017, this Court ordered Archie within thirty days to (1) pay the filing fee or file an application to proceed *in forma pauperis* and (2) show cause in writing why the case should not be dismissed without prejudice for failure to exhaust state court remedies. The Order (Dkt. 3) admonished Archie that failure to comply on time could lead to dismissal for want of prosecution without further notice.

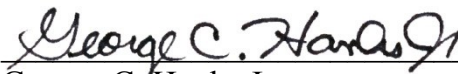
Archie has filed an application to proceed *in forma pauperis* but has not complied with the order to show cause, and the time to comply has expired. Under the inherent powers necessarily vested in a district court to manage its own affairs, this Court determines that dismissal for want of prosecution is appropriate. *See* FED. R. CIV. P. 41(b); *Nottingham v. Warden, Bill Clements Unit*, 837 F.3d 438, 440-41 (5th Cir. 2016)

(a district court may dismiss an action *sua sponte* for failure to prosecute or to comply with any court order).

This civil action is **DISMISSED without prejudice** for want of prosecution. Archie's application to proceed *in forma pauperis* (Dkt. 4) is **DENIED as moot**.

The Clerk will provide a copy of this Order to the parties.

SIGNED at Galveston, Texas, this 23rd day of March, 2018.



George C. Hanks Jr.
United States District Judge